



Dkt. 0575/55669-A-PCT-US/JPW/PJP/BJA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Cy A. Stein et al.

Serial No.: 09/753,169 Examiner: J. L. Epps-Ford

Filed : January 2, 2001 Group Art Unit: 1635

For : OLIGONUCLEOTIDE INHIBITORS OF bcl-xL

Allowed : February 14, 2006

Confirmation No.: 9695

1185 Avenue of the Americas  
New York, New York 10036  
May 15, 2006

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

**TRANSMITTAL OF VERIFIED STATEMENT  
(DECLARATION) CLAIMING SMALL ENTITY STATUS UNDER  
37 C.F.R. §1.9(f) AND §1.27(c)**

Aronex Pharmaceuticals, Inc., a joint assignee of the subject invention, submits herewith a Verified Statement (Declaration) Claiming Small Entity Status Under 37 C.F.R. §1.9(f) and §1.27(c) as **Exhibit 1**. This Verified Statement is signed by Bruce Leicher, an authorized official of the joint assignee of record, Aronex Pharmaceuticals, Inc.

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If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

No fee is deemed necessary in connection with the filing of this communication. However, if any such fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:  
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Applicant or Patentee: Cy A. Stein et al. Attorney's 0575/55669-  
Serial or Patent No.: 09/753,169 A-PCU-US  
Filed or Issued: January 2, 2001 Docket No.:  
Title of Invention or Patent: Oligonucleotide Inhibitors of bcl-xL

VERIFIED STATEMENT (DECLARATION) CLAIMING  
SMALL ENTITY STATUS UNDER 37 C.F.R. §1.9(f)  
AND §1.27(c)- SMALL BUSINESS CONCERN

I hereby declare that I AM:

the owner of the small business concern identified below.

an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern: Aronex Pharmaceuticals, Inc.

Address of Concern: 3 Forbes Road, Lexington, MA 02421

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 C.F.R. §121.3-18, reproduced in 37 C.F.R. §1.9(d), for purposes of paying reduced fees under 35 U.S.C. §41(a) and §41(b), in that the number of employees of the concern, including those of its affiliates, does not exceed five hundred (500) persons. For purposes of this verified statement, the number of employees of the business concern is the average number, over the previous fiscal year, of the persons employed by the business concern on a full-time, part-time, or temporary basis during each pay period of the fiscal year, and concerns are affiliates of each other when, either directly or indirectly, one concern controls or has power to control the other, or a third party or parties controls or has power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled

Oligonucleotide Inhibitors of bcl-xL

described in:

the specification filed herewith  
 application serial no. 09/753,169 filed January 2, 2001  
 patent no. issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. §1.9(e)\*, any concern which could not qualify as a small business concern under 37 C.F.R. §1.9(d)\* or as a nonprofit organization under 37 C.F.R. §1.9(e)\*.

Name: The Trustees of Columbia University in the City of New York  
Address: West 116th St. and Broadway, New York, NY, 10027

Individual  Small Business Concern  Nonprofit Organization

\*NOTE: Separate verified statements are required for each named person, concern, or organization having rights to the invention averring to their status as small entities. 37 C.F.R. §1.27.

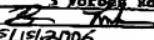
\*See Reverse

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Small Entity/Small Business Concern  
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I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. 37 C.F.R. §1.28(b)\*.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Bruce Leicher   
Title In Organization: Vice President and Associate Secretary  
Address: Archer Pharmaceuticals, Inc.  
Signature:   
Date Of Signature: 5/15/2006

\*See Reverse